

FILED
Clerk
District Court

MAY 12 2006

For The Northern Mariana Islands
By _____
(Deputy Clerk)

MARK B. HANSON, ESQ.
First Floor, Macaranas Building
Beach Road, Garapan
PMB 738 P.O. Box 10,000
Saipan, Mariana Islands 96950
Telephone: (670) 233-8600
Facsimile: (670) 233-5262

Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS

LI YING HUA, LI ZHENG ZHE and XU JING JI,) CASE NO. CV 05-0019

Plaintiffs,)

vs.)

JUNG JIN CORPORATION, a CNMI corporation,)
ASIA ENTERPRISES, INC., a CNMI corporation,)
PARK HWA SUN and KIM HANG KWON,)

Defendants.)

MOTION TO AMEND
CASE MANAGEMENT
SCHEDULING ORDER;
~~proposed~~ ORDER

Date:

Time:

Judge:

Hon. Alex R. Munson

COMES NOW the Plaintiffs, by and through the undersigned counsel of record, with a with a motion to modify the present case management scheduling order in this matter, including the presently scheduled trial date therein. Discovery is complete and Plaintiffs have filed a motion to amend to add additional parties and a motion for default against two present defendants, and Plaintiffs anticipate filing a motion for summary judgment against all defendants remaining and/or added after those motions are decided. However, the dates for amendment and for dispositive motions set by the Court in its August 26, 2005 Case Management Scheduling Order have passed. Because of the late default by the corporate defendants in this case after the withdrawal of their counsel, and because of a change in circumstances that arose after the amendment deadline had passed, all of which is more fully discussed in Plaintiffs' pending motions, Plaintiffs request that the

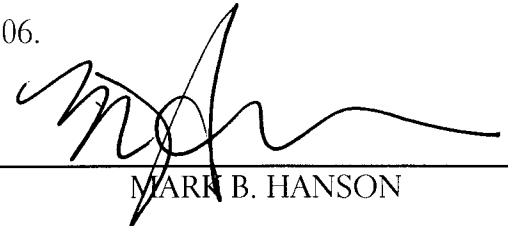
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1 Court extend the dates for motions to amend, for dispositive motions and that the Court set a new
2 trial date in this matter.

3 Rule 16(b), providing for scheduling orders such as the Case Management Scheduling Order
4 here, also specifically provides that the order can be modified upon a showing of good cause. Fed.
5 R. Civ. P. 16(b). As detailed in the pending motions before the Court, good cause exists to modify
6 the Court's Case Management Scheduling Order because the deadlines therein were not met despite
7 the continuing diligence of Plaintiffs and their counsel. Discovery is complete and the motions are
8 already on file with the Court. A new trial date is necessary to accommodate the addition of parties
9 as successors to the liability of the present defendants in light of the facts set forth in the pending
10 motions.

11 WHEREFORE, Plaintiffs respectfully request that the Court extend the deadline to file
12 motions to amend the pleadings and to add new parties to April 21, 2006, that the Court extend the
13 deadline to file dispositive motions, including motions for default and for summary judgment, to
14 June 30, 2006, and that the Court continue the trial in this matter to begin on September 5, 2006
15 at 9:00 a.m. Further, Plaintiffs waive any hearing on this motion.

16 Respectfully submitted this 12th day of May, 2006.

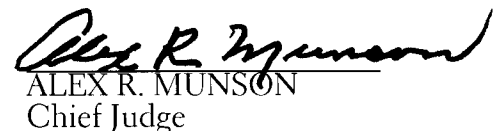
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18
19 MARK B. HANSON

20 Attorney for Plaintiffs

21
22 ORDER

23 SO ORDERED.

24
25 DATE: 5-12-06

26 
27 ALEX R. MUNSON
Chief Judge

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